



U.S. Department of J

United States Attorney
Southern District of N

86 Chambers Street
New York, New York 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/29/2020

January 28, 2020

BY ECF

Honorable Analisa Torres
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Courtroom 15D
New York, NY 10007

Re: *Gonzalez v. United States, et al.*, No. 19 Civ. 2747 (AT) (KNF)

Dear Judge Torres,

This Office represents the United States (“Defendant”) in the above-captioned action, and I write on behalf of both parties. The parties previously wrote the Court on September 23, 2019, advising that the plaintiff in this action, Santiago Gonzalez, passed away on September 12, 2019. Since that time, an executor has been appointed for his estate and she, Genoveva Garcia de Gonzalez, was substituted as the plaintiff in this action on December 18, 2019. *See* Dkt. No. 32.

A settlement conference had been scheduled before Judge Fox on December 4, 2019, and the parties were prepared to participate. However, on December 3, 2019, Judge Fox had a conference call with the parties and it was determined that the settlement conference would not proceed until an executor for Plaintiff’s estate had been appointed. Accordingly, Judge Fox ordered the parties to update him once the executor was substituted as the plaintiff in this action. *See* Dkt. No. 27. On December 19, 2019, the day after your Honor granted Plaintiff’s application to substitute Ms. Gonzalez as plaintiff in this action, the parties wrote to Judge Fox asking that a settlement conference be scheduled and proposed three dates. *See* Dkt. No. 33. The parties followed up on this request on January 22, 2020. *See* Dkt. No. 34. Thereafter, Judge Fox scheduled a settlement conference in this action for February 11, 2020.

In light of this upcoming settlement conference, the parties respectfully request that the Court adjourn the February 6, 2020, status conference that is currently scheduled (as well as the requirement that the parties submit a status letter on January 30). The parties respectfully propose that they write to the Court by February 25, 2020. In that submission, the parties will either inform the Court that this matter has settled or set forth a proposal as to how this action should proceed.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney for the
Southern District of New York

GRANTED. The case management conference scheduled for February 6, 2020, and the joint letter deadline, are ADJOURNED *sine die*.

By **February 25, 2020**, the parties shall submit a joint status letter informing the Court as to the progress of the settlement discussions and, if appropriate, stating a proposal as to how this action should proceed.

By: /s/ Alexander J. Hogan
ALEXANDER J. HOGAN
Assistant United States Attorney
86 Chambers Street, Third Floor
New York, New York 10007
Tel.: 212-637-2799
E-mail: alexander.hogan@usdoj.gov

SO ORDERED.

Dated: January 29, 2020
New York, New York



ANALISA TORRES
United States District Judge